



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,235	03/28/2002	Shigeru Nagata	1163-0400P	4565

2292 7590 03/14/2007
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

DESIR, JEAN WICEL

ART UNIT	PAPER NUMBER
----------	--------------

2622

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/14/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/14/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/089,235

Applicant(s)

NAGATA ET AL.

Examiner

Jean W. Désir

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2006 (Pre-Brief).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9, 10 and 17 is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-16, 18, 19 and 21 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8, 11-16, 18, 19, 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Mathias et al (WO 00/38951).

Claim 1:

Mathias discloses:

A video reproducing apparatus (see Figs. 4, 5) comprising:

at least a pair of units (*items 38, 80 of Fig. 5*) having separate housings; and

a chassis (*item 54 of Figs. 4-6*) for holding said units, the chassis including:

a supporting unit (*the hinge 74*) that supports said pair of units during

displacement; and

a fixing unit (*the latch mechanism 42*) that fixes the displacement;

wherein said pair of units are displaced in respective directions and fixed and housed in a predetermined position (*see items 38, 80, 54*)

Claim 2: wherein said pair of units are respectively disposed in an upper position and lower position (see items 54, 80, 38).

Claim 3: wherein one of said pair of units is held between the other unit in said chassis (see items 54, 80, 38).

Claim 4: wherein said supporting unit simultaneously displaces said pair of units to the predetermined position (see the hinge 74).

Claim 5: wherein, in a state where the displacement of one of said pair of units is fixed in the predetermined position, the other unit is independently displaced and fixed within a predetermined range (see items 38, 80).

Claim 6: wherein said equipment is disposed on a plane having a recessed portion, and wherein at least part of one of said pair of units is displaced so as to receive it into said recessed portion (see Figs. 4, 5, page 1 lines 5-8).

Claims 7, 8 are disclosed, see page 11 lines 11-22, page 12 lines 4-15, page 8 line 13 to page 9 line 3.

Claim 11 is disclosed, see Figs. 4, 5, item 32.

Claim 12 is disclosed, see Figs. 4, 5, page 12 lines 4-22.

Claims 13, 14 are disclosed, see page 11 lines 11-22, page 12 lines 4-15.

Claim 15 is inherent to Mathias's disclosure.

Claim 16 is disclosed, see page 12 lines 4-22.

Claims 18, 19 are disclosed, see page 9 lines 11-15.

Claim 21 is disclosed, see page 1 lines 5-8.

3. Claims 1-7, 12, 15, 16, 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimada Akio (JP-2000-112394).

Claim 1:

Shimada discloses:

at least a pair of units (*103a, 104a of Fig. 1*) having separate housings; and
a chassis (*items 104, 105, 103 of Fig. 1*) for holding said units, the chassis
including:
a supporting unit (*items 104, 103 of Fig. 1*) that supports said pair of units during
displacement; and
a fixing unit (*item 105 of Fig. 1*) that fixes the displacement;
wherein said pair of units are displaced in respective directions and fixed and
housed in a predetermined position (*see Figs. 5, 6, also Figs. 1, 4*).

Claims 2, 3 are disclosed, see Figs. 2, 3.

Claim 4 is disclosed, see Figs. 5, 6.

Claim 5 is disclosed, see Fig. 6.

Claim 6 is disclosed, see Figs. 2, 3.

Claim 7 is disclosed, see Figs. 5, 6.

Claims 12, 15, 21 are inherent to Shimada.

Claim 16 is disclosed, see Figs. 2, 3, 7.

Response to Arguments

4. Applicant's arguments have been fully considered and they are persuasive in the sense that "the DVD player 32 is not displaced, it is permanently fixed in the housing

Art Unit: 2622

34"; therefore the final mailed on 4/19/06 is withdrawn, a new final is presented to the Applicants with new interpretation of Mathias and with a new reference to Shimada.

Allowable Subject Matter

5. Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 9, 10, 17 are allowed.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2622


the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (571) 272 7344. The examiner can normally be reached on 5/4/9 - First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272 7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD
Mar. 5, 07



LIN YE
PRIMARY PATENT EXAMINER